

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	5576.2 413471/022
First Inventor	Stan A. Brown et al
Title	MILKING FLOW METER FOR A etc.
Express Mail Label No.	ER192544922US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 73]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 9]
5. Oath or Declaration [Total Sheets 81]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Attorney (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Copy Patent Application 09/782,849
Certificate of Filing United States Patent

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76.

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/782,849 filed 02/13/01

Prior application information:

Examiner Harshad R. PatelArt Unit: 2855

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS
☐ Customer Number: OR ☒ Correspondence address below

Name	Daniel J. Meaney, Jr.		
Address	Post Office Box 22307		
City	Santa Barbara	State	CA
Country	USA	Zip Code	93121
Telephone	8056876909	Fax	8056874499

Name (Print/Type)	Daniel J. Meaney, Jr.	Registration No. (Attorney/Agent)	22179
Signature	<i>Daniel J. Meaney</i>	Date	10/16/03

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

17658 U.S. PTO
10/688107
101603

17648
101603
USPTO

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 622

Complete If Known

Application Number	
Filing Date	October 16, 2003 (BY EXPRESS MAIL)
First Named Inventor	Stan A. Brown, et al
Examiner Name	Harshad R. Patel
Art Unit	2855
Attorney Docket No.	5576.2 413471/022

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

13-2515

Deposit
Account
Name

Daniel J. Meaney, Jr.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	385
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 385)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
32	-20** = 12	X 9	= 108
6	-3** = 3	X 43	= 129
Multiple Dependent		0	= 0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$ 237.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Daniel J. Meaney, Jr.	Registration No. (Attorney/Agent)	22179	Telephone	805-687-6909
Signature	<i>Daniel J. Meaney</i>	Date	10/16/03		

WARNING: Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: STAN A. BROWN,)
RAFAEL A. FEMATT,) GROUP ART UNIT
ROBERT C. BORCHERT, and)
VICTOR M. VIESCA) 2855
ATTY DKT NO: 5576.2 413421/022) PRIMARY EXAMINER
(Division of Serial No:)
09/782,849 filed) HARSHAD R. PATEL
February 13, 2001)
FILED: OCTOBER 16, 2003)
(By Express Mail))
FOR: MILK FLOW METER FOR A MILKING SYSTEM)
HAVING A SUBSTANTIALLY STABLE VACUUM)
LEVEL AND METHOD FOR USING SAME)

Commissioner of Patents and Trademarks
P. O. BOX 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF FILING UNITED STATES
PATENT APPLICATION BY EXPRESS MAIL

Dear Sir:

Pursuant to the provisions of 37 C.F.R. Section 1.10,
enclosed are:

I hereby certify that this correspondence is
being deposited with the United States Postal
Service as EXPRESS MAIL NO. ER192544922US in
an envelope addressed to:
Commissioner of Patents and Trademarks, P. O.
Box 1450 Alexandria, Virginia 22313-1450, on
October 16, 2003.

Date of Signing: October 16, 2003

Signature: 

Date of Mailing: October 16, 2003

- (1) UTILITY PATENT APPLICATION TRANSMITTAL ON FORM PTO/SB/05;
- (2) FEE TRANSMITTAL for FY 2003 ON FORM PTO/SB/17;
- (3) Copy of Specification, comprising Pages 1 through 41, Claims 1 through 57 comprising pages 1 through 23, Abstract Of The Disclosure comprising one (1) page, DECLARATION FOR PATENT APPLICATION comprising two (2) pages and nine (9) sheets of Drawing as filed in the parent Patent Application Patent Application Serial No. 09/782,849 filed on February 13, 2001.
- (4) Original Substitute Specification comprising Pages 1 through 50, Claims through 57 comprising Pages 1 through 22, and ABSTRACT OF THE DISCLOSURE comprising one (1) Page, all of which are formatted using the new Patent Application Format;
- (5) Copies of the DECLARATION FOR PATENT APPLICATION comprising two (2) pages;
- (6) Nine (9) sheets of formal Drawing in A-4 size as the formal Drawing for this Divisional Application.
- (7) CHECK for \$622.00 paying the Filing Fee of \$622.00 for a Small Entity;
- (8) PRELIMINARY AMENDMENT;
- (9) INFORMATION DISCLOSURE STATEMENT with four (4) Sheets of Form PTO-1149 List of Prior Art Cited by Applicant and copies of Cited Art; and
- (10) POSTCARD.

We respectfully request a filing date of October 16, 2003, the date of mailing the above-referenced documents, pursuant to the provisions of 37 C.F.R. Section 1.10.

If any additional fees are due herein, please charge the same to Deposit Account No. 13-2515.

Respectfully submitted,



Daniel J. Meaney, Jr.
Registration No. 22179
Attorney for Applicants

P.O. Box 22307
Santa Barbara, California 93121-2307
Telephone: (805) 687-6909
Dated: October 16, 2003
269 55762cex